

03-19-07

RCE

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL FORM (37 C.F.R. § 1.114)			
DOCKET NO.: 13704	APPLICATION SERIAL NO.: 09/486,703	EXAMINER: Patricia A. DUFFY	ART UNIT: 1645
INVENTOR: DOYLE et al.			
Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450			
This is a Request for Continued Examination under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. <u>09/486,703</u> , filed on June 27, 2000, entitled A METHOD OF DIAGNOSIS .			
The following constitute the submission required by 37 C.F.R. § 1.114(a) and is attached: <input checked="" type="checkbox"/> Reply to Final Office Action mailed on September 15, 2006 <input checked="" type="checkbox"/> Information Disclosure Statement and Form PTO-1449 <input type="checkbox"/> Drawing Changes			

In the above-referenced application, Applicants filed a Request for Continued Examination (RCE) on January 16, 2007 accompanied by an Information Disclosure Statement and Form PTO-1449. However, Applicants now believe that this prior RCE filing was not complete because the submission requirements of 37 C.F.R. § 1.114 (c) were not fully met. Therefore, Applicants submit the current RCE including a Reply to the Final Office Action mailed on September 15, 2006. Furthermore, Applicants request that the previously paid RCE and submission filing fee of **\$790.00** be applied to this RCE filing of March 15, 2007.

Applicants have previously paid a one-month extension of time fee (in the amount of \$120.00) when filing the RCE on January 16, 2007 (extending the time in which to respond to the Office Action mailed on September 15, 2006 from December 15, 2006 to January 16, 2007 (January 15, 2007 being a federal holiday)). Applicants respectfully request a **FURTHER two-month** extension of time to extend the time in which to respond to the Office Action mailed on September 15, 2006, such that the extended period expires on March 15, 2007. The Commissioner is hereby authorized to charge payment of the additional 37 C.F.R. § 1.136(a) extension fee (for extending the response time for a total of three months), which is believed to be **\$900.00** (three-month extension fee of \$1020.00 minus one-month extension fee of \$120.00) to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.

It is believed that no additional fees are due in connection with this RCE filing. However, should any additional fees be due (such as an additional RCE and submission filing fee of \$790.00), the Commissioner is hereby authorized to charge the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600** for such fees.

The Commissioner is hereby authorized to charge payment of the fees, including any additional fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**. A duplicate copy of this transmittal form is enclosed.

Dated: March 15, 2007

Respectfully submitted,
 By: Kevin T. Godlewski
 Kevin T. Godlewski (Reg. No. 47,598)

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01 FC:1801 790.00 DA
 02 FC:1253 900.00 DA

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